UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

LONDER B. DAVIS,   )
        Plaintiff,   )
)
VS.   )   CIVIL ACTION NO.
)
CITY OF GRAND PRAIRIE, ET AL.,   )   3:18-CV-2936-G (BK)
)
        Defendants.   )

ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

The United States Magistrate Judge made findings, conclusions, and a

recommendation in this case. Plaintiff filed objections, and the court has made a

de novo review of those portions of the proposed findings and recommendation to

which objection was made. The objections are overruled, and the court **ACCEPTS**

the findings, conclusions, and recommendation of the United States Magistrate

Judge.

It is therefore **ORDERED** that this action is summarily **DISMISSED** with

prejudice for failure to state a claim upon which relief can be granted. *See* 28 U.S.C.

§ 1915(e)(2)(B).

The court prospectively **CERTIFIES** that any appeal of this action would not

be taken in good faith. *See* 28 U.S.C. § 1915(a)(3); FED. R. APP. P. 24(a)(3). In

support of this certification, the court adopts and incorporates by reference the

magistrate judge's findings, conclusions, and recommendation. See *Baugh v. Taylor*,

117 F.3d 197, 202 and n.21 (5th Cir. 1997). Based on the findings and

recommendation, the court finds that any appeal of this action would present no

legal point of arguable merit and would, therefore, be frivolous. *Howard v. King*,

707 F.2d 215, 220 (5th Cir. 1983).[*] In the event of an appeal, plaintiff may

challenge this certification by filing a separate motion to proceed *in forma pauperis* on

appeal with the Clerk of the Court, U.S. Court of Appeals for the Fifth Circuit. See

Baugh, 117 F.3d at 202; FED. R. APP. P. 24(a)(5).

      SO ORDERED.

July 30, 2019.

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A. JOE FISH
Senior United States District Judge

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[*]   Federal Rule of Appellate Procedure 4(a) governs the time to appeal an order. A timely notice of appeal must be filed even if the district court certifies an appeal as not taken in good faith.